(c) *Nyareth* - The son of a *Nyireth*. 565
(d) *Kwanyireth* - The grandson of a *Nyireth*. 614

In some regions the members of the royal clan have become more numerous than commoners and have supplanted them in the chieftainship of the settlements. This has been possible because the members of the royal clan are richer and tend to marry more wives, and also because of the system whereby the offspring of a *reth* are planted out in various settlements away from Fashoda. When one of the *reth*'s wives is about to give birth to a child she leaves Fashoda and goes to her own village. As soon as the *nyireth* is weaned he is placed in charge of some trustworthy settlement chief, often the mother's brother, and is brought up among his mother's people. When the child grows up and marries he builds a separate hamlet called *pa nyireth* (unless he is called on to become *reth*), and thus becomes the founder of a local lineage branch of the royal clan which may eventually grow powerful enough to overthrow the dominant lineage and assume the political aspects of its position in the settlement. 644 644 614 591 565

Daughters of a *reth* are not allowed to marry and therefore cannot start lineages which would count as sister's sons to the royal house. 644 582

The Ororo

This clan is separate from the royal clan and consists of the descendants of a disinherited branch. They are few in number and may intermarry with the royal clan. It is said that the *reth* still has the right to disinherit lineages of the royal clan but, apart from one traditional instance, it is not certain whether the right has been exercised. The *ororo* are indistinguishable from the commoner clans except for the special functions they perform for the *reth* at his investiture and at the time of his funeral. Traditionally, the *ororo* always smother the *reth* when he is ritually killed. The *reth* always takes some of his wives from the *ororo*. 565 614 643

The Bang Reth

The *bang reth* are the personal attendants of the *reth*. Originally they were captives from other tribes but later, volunteers from the commoner clans in Shillukland, if they were poverty stricken, might leave their own clans and become the *reth*'s retainers. In return for receiving cattle to marry with, they tended animals, engaged in building and cultivation and performed all the duties connected with the upkeep of the royal household. Apart from these and their descendants, the *bang reth* also included all those who were enslaved because their brothers were homicides and those who became possessed by the spirit of Nyikang. 565 644 727 735 567 672

The *bang reth* are a fictitious clan; they cannot intermarry even though there is often no blood relationship among them. The *reth* never marries into the *bang reth* clan and, as an indication of the impossibility of this, he calls the daughter of a retainer *kwara*, 'my grand-daughter'. 565 614 608 644

The *bang reth* live in a hamlet of their own near the capital in which the *reth* resides. When he dies they, together with his elderly widows, go and live near his shrine and look after it. When a *nyireth* is planted out, his father sends some of his retainers to live with him; these become *bang* 565 644 614

9:Howell E-5 (1937-1950) 1952 FJ23 Shilluk FJ23

among the Shilluk that he was empowered to suppress internal feuds, that he actually did so with the assistance of an army of neutrals, and that, though the punishments inflicted on the guilty sections of the community were severe and included seizure of property and the enslavement of the guilty parties, little resistance was shown. At the same time, there are few examples cited in Shilluk tradition which date back to days earlier than the first alien administration. Such methods resemble the methods employed by those who were used as agents in Turkish times to maintain some kind of order. They are also reminiscent of Arab procedures, and it must be remembered that the Shilluk were influenced by Arab contacts.[1] They are in keeping also with the methods employed during the *Mahdia*.

On the other hand, it is quite clear that the *reth* has always had recognised functions as an arbitrator in blood-feuds. These functions are both purely secular, in the attempt to reconcile warring factions, and ritual, in the removal of prohibitions raised in feuds.[2] It is more than probable that in early days the *reth* would take no action unless he was certain that the two parties wished for peace. In Titherington's account we hear that, 'The *reth* walked among them and briefly addressed them and they answered that they wanted peace. . . . The taboo on the families at feud eating together, is removed by the *reth*.'[3]

Hofmayr says: 'When the number of the dead and wounded on both sides is equal, they stop fighting. The King will hold court and punish the offender who is in the wrong.' The idea that feuds cease when the participants are tired of fighting and of a perpetual state of insecurity is stressed again and again in reports. It is at this point that the *reth*'s intervention is accepted, and it seems to me doubtful whether he would normally intervene in any other circumstances.

Indemnity for Homicide

The present recognized indemnity for wilful homicide among the Shilluk is ten head of cattle. There have been frequent attempts by the Administration during the course of the last thirty years to raise this number, as a deterrent, but these attempts do not appear to have been either effective or generally accepted by the tribe. The traditional number demanded is also in doubt. Thomson, in an unpublished report, says: 'In the past blood-money for a killing was ten head of cattle to the deceased's family and ten to the *reth*. Later it became ten to the deceased's family, five to the *reth* and five to the Government. It is now (since 1932) ten head of cattle to the family of the deceased only.' I have sometimes heard it said that in *reth* Fadiet's time (1903–17) it was only seven head,[4] but it was raised to twenty, of which the *reth* took half, by orders of *reth* Fafiti when he first succeeded to the throne. It is also said that in the old days a girl was sometimes handed over instead of cattle, and although intermarriage between people at feud is considered wrong unless the full peace ceremonies have been completed, this girl was taken in marriage by one of the kinsmen of the dead man. If, by reason of some kinship relationship with the deceased, she fell within the prohibited degrees of marriage, she would be accepted as a

[1] Cf. The Baggara *Khums*: خمس, whereby neutral tribal segments would band together to punish wrongdoers, seizing their possessions, which were handed over to the deceased's family.

[2] Such as the prohibition on eating together and on intermarriage.

[3] Titherington, unpublished records.

[4] Sometimes quoted as being current in *reth* Kur's time (deposed 1903) too.

9:Howell E-5 (1937-1950) 1952 FJ23 Shilluk FJ23

daughter, would marry out of the lineage, and her bridewealth would be used to marry a wife from elsewhere. I can quote no actual instances of this custom, but it is in keeping with Shilluk ideas, and I believe it to have been common in the past. The indemnity is known in Shilluk as *col dhano*, ' the replacement of a man '. Although the Shilluk do not have an institution comparable to the Nuer and Dinka custom of ' ghost-marriage ',[1] they certainly consider that the continuity of the kinship group must be assured and the acceptance of an indemnity is primarily directed to this object. A wife married with ' blood-cattle ' is called *nya wic dhano*, ' the girl in place of the man ',[2] and although she is not married specifically ' to the name of the dead man ', as would be the case among both Nuer and Dinka, the principles are the same. The primary intention in accepting such payments in cattle is therefore to marry a wife into the dead man's lineage, or to acquire a girl who will either be taken in marriage or received as a daughter from whom bridewealth may be expected. Since bridewealth among the Shilluk is more or less rigidly maintained at ten head of cattle, it is logical that the indemnity for homicide should also be ten.

Among many Nilotic peoples in the past there were different rates of compensation for the taking of human life according to the status of the person killed. Among the Shilluk a greater differentiation might be expected, but there is little evidence of this, though Shilluk themselves say that to kill a member of the royal clan would be a serious offence and in the past was likely to call forth a punitive expedition by the *reth*. It is significant that Hofmayr says: ' To wound a royal prince or princess, or a royal daughter or son of a prince, whether it happens accidentally or intentionally, demands a high penalty for the shedding of royal blood (*a wano*). In 1912 a boy accidentally injured a royal daughter with a spear and caused only a slight flesh wound. He had to pay six head of cattle (two or three to the King, one to the mother of the girl, and one to the Chief of the village).'

There is normally no distinction in the amount of compensation demanded for the death of a woman. A husband who kills his wife is not expected to pay compensation if he has completed the bridewealth payments. When a woman kills someone, her father or legal guardian is held responsible if she is unmarried; a husband is responsible for the actions of his wife.

As among other Nilotic peoples, when homicide is a joint action, the first man to cause injury to the deceased is held to be responsible for his death.

In the peacemaking negotiations described, the ritual acts and ceremonial procedures are reminiscent of those performed by the ' Leopard-Skin Chief ' among the Nuer, and the ' Chief of the Spear ' among many Dinka tribes. These similarities are seen in the public ceremonies rather than in the special ritual performed to relieve the killer of the spiritual contamination which is believed to follow an act of homicide; this is not surprising, since obviously the *reth* could not deal individually with every killer. Further, it is customary for these functionaries among both Nuer and Dinka to take a small proportion[3] of the ' blood-cattle ' in return for their services;

[1] See Evans-Pritchard, *Kinship and Marriage among the Nuer*, pp. 109–12. Oxford, 1951.

[2] Mr. J. L. Baker tells me that children born in such circumstances are known as *okic* or *akic* (according to sex) which means literally ' father dead '.

[3] For example, out of a total varying between twenty and forty head of cattle, the Nuer *kwar kwar* takes the *yang kwrini* in return for his services early on in the negotiations for peace, the *ruath ruon* (' bull calf of blood ') and *yang kwar* (' cow of the leopard-skin '), besides two oxen which he sacrifices at the ceremony. In some parts of Nuerland these might

17: Pumphrey G-5 (1934-1938) 1941
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being crimes against the community, was that in cases of homicide the murderer (or his brother if the murderer was uncaptured) was compelled to become a *Bang Reth*.

Relations between a *Reth* and his retainers were friendly, nor does the treatment of those who were enslaved as a punishment appear to have differed from that of those voluntarily enlisted. The custom was for the retainers of each *Reth* to make a village for themselves near Fashoda. There they would live until the *Reth* died. The *Reth's* body would then be taken to this village and sealed up in a house where it would remain until entirely decomposed. Only then would the bones be removed by his retainers and buried in his original village. Some of the dead *Reth's* retainers would then move to the village where he was buried and their descendants would there remain with the perpetual obligation of tending his shrine. Others would remain at their village near Fashoda and would have no further obligations to the memory of their dead patron except that they and their descendants would for ever be known as "*Bang Reth Kwadhker*" or "*Bang Reth Nyakwac*" or as the case might be.

The retainers of a particular *Reth*, having severed connexion with their own clan, became a fictitious clan in themselves. As such they cannot intermarry, though there may be no relationship of blood. Nor could a *Reth* marry a daughter or sister of one of his retainers. A *Reth* would address the daughter of a retainer as *kwara* (my granddaughter) which well indicates the relationship subsisting between them.

Under the present regime, partly because the Government has frowned upon the practice and partly because the *Reths* are now deprived of their previous source of wealth, the *Reth* has none of these traditional retainers. To-day the *Bang Reth* comprise the descendants of retainers of previous *Reths*. In some cases they have removed themselves to a new locality but in any case they remain for ever *Bang Reth* "A" or *Bang Reth* "B" (in accordance with the name of the *Reth* their ancestors served) and never rejoin their original clan.

When a *Nyireth* was planted out the *Reth* used to send to live with him a few of his own retainers who became *Bang Nyireth* and

29:Dempsey M-5 (1940-1954) 1955
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fend for himself during the intervening months, and he spends the time drinking bowls of beer and smoking pipes of rank tobacco with his cronies, discussing the many complexities of women and particularly that formidable mother-in-law of his whom he may never visit, may never even meet, even going to the length of turning aside from her path and averting his head should he chance to see her on the road. He dreams up, too, rosy dreams of his daughter, for it is always a daughter of course, who will be the apple of his eye and the pride of his life during her childhood and who will bring in many heads of fat cattle when she becomes of marriageable age.

On the day of the birth, a custom, of interest to all, but fraught with a certain amount of apprehension and anxiety to some, takes place. Before the mother is given her baby to nurse she must name publicly all her former lovers. Failure to do so, it is averred, will result in the death of the child, and should she refuse to confess she would not be given the baby at all, but it would be reared by a foster-mother. It may be that the girl can say with honesty that she has had no pre-nuptial amours, and that up to the time of her marriage she had preserved her virginity intact. Since the general character of such a girl would be fairly well known in her own village, her word would be accepted and she would be given the child. But if perchance the infant should die, it would be taken as a sign that she had lied. Unfortunately such paragons of virtue among Shilluk maidenhood are rather rare, and the term 'virgin' applied to a nubile girl has something of an unmeaning character, useful only in distinguishing her from her married sisters. Nobody then is in the least shocked or surprised when the girl recites a number of names of men with whom she has been before her marriage.

The men thus accused may either admit the charge or indignantly deny it. If a man admits his transgression he must pay the outraged husband three sheep or goats, or, if he is the father of the child just born, three cows. If he denies the accusation he undergoes a variation of 'trial by

29:Dempsey M-5 (1940-1954) 1955
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dowry. The models are hung up in front of the hut and the ceremony is concluded with beer-drinking.

About a month later the child may be taken home to be shown to its father. The mother carrying the infant is accompanied by three or four girl friends and the old woman who attended her at the confinement. The father and his male relatives and friends inspect the baby outside the hut to satisfy themselves that it shows no deformity or any other abnormality. If such unhappily were the case, the child would be enclosed together with a live sheep in a basket and thrown into the Nile. When the father is satisfied that the child is normal, a goat or sheep is killed, the meat eaten at the ensuing feast and the skin scraped and softened to serve as a sleeping mat for the baby. Beer is prepared and the whole village invited to come to the party. Those who come, however, are expected to bring some small gifts of money, beads, bracelets and the like. These are the perquisites of the midwife, the beer makers and the girls who escorted the mother and child back to her home.

There are no special ceremonies for the birth of children after the first born, and the mother may or may not return to her father's village for her confinements as she pleases. There is however a little feast to celebrate the birth and, as before, a sheep or goat is killed and the skin used as the infant's sleeping mat.

During a woman's pregnancy neither she nor her husband is permitted to visit anyone who is sick. They are considered to be unlucky and their visit to a sick person would surely result in his death. The most that is allowed is that they may stand at the fence surrounding the house where the sick person is and enquire after him.

With reference to the custom of the young wife leaving her husband's home for her father's for the birth of her first child, it must be mentioned that the wives of the king, not merely on the occasion of their first born, but for all subsequent confinements, must leave Fashoda. They do not go to their former home, however, but to the village of some chief at a considerable distance from the capital. The child that is

29:Dempsey M-5 (1940-1954) 1955
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644 born there is brought up in that village under the tutelage
[608] of the chief. If the child is a boy he is brought up in much the same manner as other boys of the village but it is not forgotten that he is a Nyireth, and consequently a potential king. He is given a herd of cattle, and on reaching manhood is expected to found his own village, also at a distance from
[669] Fashoda, for the fear of assassination is always present to the reth, and hence it is ever the royal policy to keep all the princes as far distant from Fashoda as possible.

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581 Marriage is an important affair, not only for those directly
583 concerned, but for the whole community, for among the Shilluk it has many economic implications arising chiefly from the condition of the dowry or bride-price, almost universal throughout Africa. When the Shilluk youth, decorated
584 in his best, goes a-wooing, if the lady of his choice accepts the heart and fortune which he casts at her feet and coyly says yes, she is sure to say that he must 'see father first'. I presume that an English youth in similar happy circumstances would address his prospective father-in-law thus: 'Sir, I wish to marry your daughter. She has done me the honour of promising to be my wife,' and with a brief discussion of present security and future prospects, the matter would be quickly settled. Not so does the Shilluk bridegroom-to-be approach his future in-laws; he does not appear in person, but sends one or two friends to negotiate the marriage for him. Nor must the ambassador come empty-handed, but must bring the traditional gifts as befitting the occasion; spears, hoes, tobacco and firewood for the father and mother of the girl and, as the negotiations proceed, upwards of seven sheep which become the property of her brother or cousins, and finally, and most important of all, the cattle.

583 The bride-price of ten or more head of cattle is an essential condition for every Shilluk marriage. It may be paid in instalments and indeed generally is, and its payment usually extends over several years, but there can can be no question of the young couple living together as husband and wife